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Number: **EV 155324445 US** Date of Deposit: **February 20, 2003**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on February 20, 2003.

**CONTINUED PROSECUTION APPLICATION (CPA)****REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

 DUPLICATE
Typed or Printed Name: **Robin M. Silva**

Signed: _____

	Attorney Docket No.	A-67851-2/RMS/DCF/KJC [469249-00184]
<i>Address to:</i>	<i>First Named Inventor</i>	CHEE et al.
	Examiner Name	T. E. STRZELECKA
	Group/Art Unit	1637
	Express Mail Label No.	EV 155324445 US

This is a request for continuation or divisional application under 37 C.F.R. § 1.53(d),
 (continued prosecution application (CPA)) of prior application number 09/513, 362,
 filed on February 25, 2000, entitled NUCLEIC ACID SEQUENCE USING MICROSPHERE ARRAYS

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. §1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371.

A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. §1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. §1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. §1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. §1.78(a).

1. Enter the unentered amendment previously filed on under 37 C.F.R. §1.116 in the prior nonprovisional application.
2. A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. §1.53(d)(4).
 - a. **DELETE** the following inventor(s) named in the prior nonprovisional application:
 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. PTO-1449
 - b. Copies of IDS Citations

02/25/03 SS171B1 00000070 502319 0951362
375.00 QP
207.00 QP
140.00 QP
01 FC-1006
02 FC-1202
03 FC-2203

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
Total Claims (37 C.F.R. § 1.16(c) or (j))	43	- 20 =	23	X \$ 18	\$414.00
Independent Claims (37 C.F.R. § 1.16(b) or (i))	2	- 3 =	0	X \$ 84	\$0
Multiple dependent claims (if applicable) (37 C.F.R. § 1.16(d))				+ \$ 280	\$280.00
				BASIC FEE (37 C.F.R. § 1.16)	\$750.00
				TOTAL OF ABOVE CALCULATIONS =	\$1,444.00
				Reduction by 50% for filing by small entity. (Note 37 C.F.R. §§ 1.9, 1.27, & 1.28).	\$722.00
				TOTAL =	\$722.00

6. Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No 50-2319 (Order No. A-67851-2/RMS/DCF/KJC [469249-00184])
- Fees required under 37 C.F.R. § 1.16.
 - Fees required under 37 C.F.R. § 1.17.
 - Fees required under 37 C.F.R. § 1.18
8. A check in the amount of \$922.00 is enclosed
9. Other: Amendment and Response to Office Action, Petition for Extension of Time of Two Month and Return postcard
10. Conditional Petition for Extension of Time: An extension of time is requested in the present and/or above-referenced parent application to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.

NOTE: *The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.*

10. NEW CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label	(Insert Customer No. or Attach bar code label here)	or	New correspondence address below
32940			
Name	DORSEY & WHITNEY LLP		
Address	Four Embarcadero Center, Suite 3400		
City	San Francisco	State	CA
Country	US	Telephone	415 781 1989
		Zip Code	94111
		Fax	415 398 3249

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) *David C. Foster* for Robin M. Silva

Signature *David C. Foster*

Registration No. (Attorney/Agent) *44,695* for 38,304

Date February 20, 2003